

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION**

<p>STATE OF SOUTH CAROLINA,</p> <p>SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL,</p> <p>and</p> <p>SAVANNAH RIVER MARITIME COMMISSION,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>UNITED STATES ARMY CORPS OF ENGINEERS;</p> <p>UNITED STATES ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT;</p> <p>RYAN MCCARTHY, In his official capacity as Secretary of the Army;</p> <p>LT. GENERAL TODD T. SEMONITE, In his official capacity as Commanding General and Chief of Engineers, U.S. Army Corps Of Engineers;</p> <p>MAJOR GENERAL DIANA M. HOLLAND, In her official capacity as Commanding General, South Atlantic Division, U.S. Army Corps of Engineers;</p> <p>and</p> <p>COLONEL DANIEL H. HIBNER, In his official capacity as District Engineer, U.S. Army Corps of Engineers, Savannah District,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">C/A NO.: 1:19-cv-3132-RMG</p> <p style="text-align: center;"><b>DEFENDANT GEORGIA PORTS AUTHORITY'S LOCAL RULE 26.01 INTERROGATORY RESPONSES</b></p>
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Defendant Georgia Ports Authority (“GPA”), by and through its attorneys, respectfully submits the following answers to Local Rule 26.01 Interrogatories:

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

**ANSWER: None.**

(B) As to each claim, state whether it should be tried jury or nonjury and why.

**ANSWER: All claims alleged in the Complaint are nonjury claims.**

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

**ANSWER: Not applicable.**

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civil Rule 3.01.

**ANSWER: The location of a portion of the property at issue is located in Aiken County, South Carolina.**

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the

same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

**ANSWER: The Complaint alleges a breach of the Settlement Agreement entered in *Savannah Riverkeeper v. U.S. Army Corps of Engineers*, Civil Action No. 9:12-610-RMG.**

(F) [*Defendants only.*] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

**ANSWER: GPA is properly identified.**

(G) [*Defendants only.*] If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

**ANSWER: None.**

	<p><u>s/ Rita Bolt Barker</u>  Rita Bolt Barker (USDC FED ID No. 10566)  Gregory J. English (USDC FED ID No. 5737)  <b>WYCHE, P.A.</b>  200 East Camperdown Way  Greenville, SC 29601  Email: <a href="mailto:rbarker@wyche.com">rbarker@wyche.com</a>  <a href="mailto:gengish@wyche.com">gengish@wyche.com</a>  Telephone: (864) 242-8200  Facsimile: (864) 235-8900</p> <p><b><i>Attorneys for Intervenor-Defendant Georgia Ports Authority</i></b></p> <p>Of Counsel:</p> <p>Susan H. Richardson (<b><i>Pro Hac Vice Pending</i></b>)  Ronald L. Raider (<b><i>Pro Hac Vice Pending</i></b>)  <b>KILPATRICK TOWNSEND &amp; STOCKTON, LLP</b></p>
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December 23, 2019	<p>1100 Peachtree Street, Suite 2800 Atlanta, GA 30309 Telephone: (404) 815-6500 Facsimile: (404) 815-6555 <a href="mailto:srichardson@kilpatricktownsend.com">srichardson@kilpatricktownsend.com</a> <a href="mailto:rraider@kilpatricktownsend.com">rraider@kilpatricktownsend.com</a></p> <p>Paul H. Threlkeld (<i>Pro Hac Vice Pending</i>) Special Assistant Attorney General <b>OLIVER MANER LLP</b> Post Office Box 10186 Savannah, Georgia 31412 (912) 236-3311 <a href="mailto:pht@olivermaner.com">pht@olivermaner.com</a></p>
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